

JP

UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF PENNSYLVANIA

SUNOCO, INC.,  and  SUNOCO, INC. (R&M), FORMERLY SUN COMPANY, INC. (R&M),  <i>Plaintiffs,</i>  v.  ILLINOIS NATIONAL INSURANCE COMPANY,  <i>Defendant.</i>	Civil Action No. 2: 04 CV 04087 - JRP  Judge John R. Padova   <b>FILED</b>  DEC - 5 2008  MICHAEL E. KUNZ, Clerk By _____ Dep. Clerk
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**STIPULATION OF DISMISSAL WITH PREJUDICE  
AND PROPOSED ORDER**

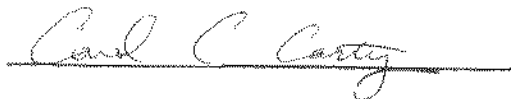
WHEREAS Sunoco, Inc. and Sunoco, Inc. (R&M) (together "Sunoco") and  
Illinois National Insurance Company ("Illinois National") (collectively, the "Parties") have  
agreed to the Settlement Agreement, Release, And Covenant Not To Sue effective  
July 24, 2008 (the "Settlement Agreement");

WHEREAS pursuant to the Settlement Agreement, all claims asserted by  
Sunoco in the above-captioned action are to be dismissed with prejudice;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and  
between the Parties, by their undersigned counsel, that pursuant to Federal Rule of Civil  
Procedure 41(a)(1)(A)(ii), the above-captioned action is hereby dismissed with prejudice and  
without fees, costs or sanctions as to any Party.

Dated: Dec 2, 2008

MORGAN LEWIS & BOCKIUS LLP



Carol Choate Carty, Esq.  
Richard F. McMenamin, Esq.  
MORGAN LEWIS & BOCKIUS LLP  
1701 Market Street  
Philadelphia, PA 19103  
Telephone: (215) 963-5331

David A. Luttinger, Esq.  
Renier Picrantonio, Esq.  
MORGAN LEWIS & BOCKIUS LLP  
101 Park Avenue  
New York, NY 10178  
Telephone: (212) 309-6177

Paul A. Zevnik, Esq.  
MORGAN LEWIS & BOCKIUS LLP  
1111 Pennsylvania Avenue NW  
Washington DC 20004  
Telephone: (202) 739-5755

*Attorneys for Plaintiffs Sunoco, Inc. and  
Sunoco, Inc. (R&M), formerly Sun Company,  
Inc. (R&M)*

SO ORDERED:

SIMPSON THACHER & BARTLETT LLP

 (w/ permission  
ecc)

Seth A. Ribner, Esq.  
Chet A. Kronenberg, Esq.  
SIMPSON THACHER & BARTLETT LLP  
1999 Avenue of the Stars -- 29th Floor  
Los Angeles, CA 90067  
Telephone: (310) 407-7500  
Telefax: (310) 407-7502

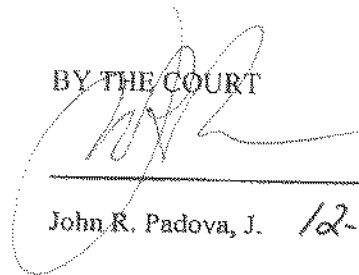
Stephen A. Cozen, Esq.  
Thomas G. Wilkinson, Jr., Esq.  
John J. Dwyer, Esq.  
COZEN O'CONNOR  
1900 Market Street  
Philadelphia, PA 19103  
Telephone: (215) 665-2000  
Telefax: (215) 665-2013

*Attorneys for Defendant Illinois National  
Insurance Company*

ENTERED

DEC 4 2008

BY THE COURT



CLERK OF COURT

John R. Padova, J. 12-3-08